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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

SEP 30 2009

IN THE MATTER OF THE APPLICATION OF
BALTERRA SEWER CORP. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WASTEWATER
SERVICE IN MARICOPA COUNTY, ARIZONA.

DOCKET NO. SW-20403A-05-0586

**MOTION FOR
EXTENSION OF TIME**

Balterra Sewer Corp. ("Balterra") respectfully requests an extension of time to file its Approval of Construction ("AOC") for its Phase I sewer system. This requirement stems from Decision No. 68742 (June 5, 2006), which granted Balterra its CC&N. Balterra was subsequently acquired by Global Water Resources, LLC ("Global Parent") under a transaction approved in Decision No. 70310 (April 24, 2008).

The delay in obtaining the AOC is due to the well-known downturn in the Arizona housing market. Many developers and utilities have been impacted by the downturn. Due to the downturn, Balterra was faced with the choice of building the Phase I sewer system before it is needed simply to comply with the Decision, or requesting an extension of time from the Commission. Construction would be expensive and premature at this time. The public interest is best served by an extension of time that will allow construction to proceed closer to the actual time of development.

Although Balterra has not made the substantial investment needed to construct the Phase I facilities and obtain the AOC, Global Parent and Balterra have made substantial investments to comply with Decision No. 68742. For example:

(1) In Decision No. 68742, the Commission indicated that Balterra should work closely with the water utility for the area, Water Utility of Greater Tonopah (WUGT), and required Balterra to file detailed annual reports on its cooperation with WUGT on water conservation and

1 the use of recycle water. Global Parent owned WUGT, and invested a sizable amount to purchase
2 Balterra. The purchase of Balterra now allows WUGT and Balterra to offer integrated water,
3 wastewater and recycled water services in this area.

4 (2) After a lengthy and expensive process, Balterra obtained approval of its Section 208
5 plan amendment under the Clean Water Act. The Section 208 plan amendment was filed with the
6 Commission on July 6, 2007.

7 (3) Balterra obtained its Arizona Department of Environmental Quality ("ADEQ")
8 Arizona Pollutant Discharge Elimination System ("AZPDES") permit. Balterra filed the AZPDES
9 permit with Commission on November 26, 2008.

10 (4) Balterra obtained the Approval to Construct (ATC) for its wastewater treatment
11 plant, and filed the ATC with the Commission on July 19, 2007.

12 (5) Obtained a Maricopa County Franchise and filed the franchise with the
13 Commission on July 25, 2006.

14 (6) Together with its sister companies, WUGT and Hassayampa Utilities Company,
15 Balterra has participated in the extensive and long-running Arizona Department of Water
16 Resources assured water supply review for the Lower Hassayampa Sub-basin.

17 (7) Balterra has made numerous other compliance filings in this docket.

18 In total, millions of dollars have been invested in Balterra to enable it to reach this point.
19 In light of this significant investment and the substantial progress Balterra has made in meeting
20 other compliance requirements, Balterra requests that the deadline for approval of the AOC be
21 extended until September 30, 2013.

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2 RESPECTFULLY SUBMITTED this 30th day of September 2009.

3 ROSHKA DEWULF & PATTEN, PLC

4
5 By 

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11 Original + 13 copies of the foregoing
12 filed this 30th day of September 2009, with:

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17 Copies of the foregoing hand-delivered/mailed
18 this 30th day of September 2009, to:

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